

Limited English Proficiency Participants

Policy

USDA Federal Regulations:

(c) Non-English materials. Where a significant number or proportion of the population eligible to be served needs service or information in a language other than English in order effectively to be informed of or to participate in the Program, the State agency shall take reasonable steps considering the size and concentration of such population, to provide information in appropriate languages to such persons. This requirement applies with regard to required Program information except certification forms which are used only by local agency staff. The State agency shall also ensure that all rights and responsibilities listed on the certification form are read to these applicants in the appropriate language.

FNS Instruction 113:

Title VI and its regulations require State agencies, local agencies, or other subrecipients to take reasonable steps to assure “meaningful” access to the information and services they provide. What constitutes reasonable steps to assure meaningful access will be contingent on a number of factors. Among the factors to be considered are (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP individuals come in contact with the program; (3) the nature and importance of the program, activity or service provided by the program to people’s lives; and (4) the resources available to the grantee/recipient and costs.

Authority

USDA Federal Regulations: 7 CFR Part 246.8 (c)

FNS Instruction 113-1: VII Limited English Proficiency, excerpt

Procedures

Meeting the health and nutrition needs of diverse populations will enhance our efforts of eliminating racial and ethnic disparities by increasing access to WIC services. Local WIC agencies are encouraged to implement strategies to provide effective service to those with limited English proficiency (LEP).

A participant with limited English proficiency cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

Assessing Language Assistance Needs

Local WIC agencies should regularly assess the language needs of participants in their service delivery area and determine appropriate measures to meet the language needs of LEP

participants. Decisions about the extent of language assistance provided should consider the following factors:

- The types and number of languages spoken,
- The size of the LEP population,
- The size of the clinic,
- Staffing and other resources available, and
- The frequency in which WIC agencies come into contact with LEP persons.

Note: To assist with this determination, agencies are encouraged to review the Community Health Needs Assessment and Health Improvement Plans for each county in their service delivery area. See also FNS Instruction 113-1.

Options for Providing Language Assistance

Local WIC agencies have several options for meeting the language needs of LEP participants including:

- Hiring bilingual staff who are trained and competent in the skill of interpreting,
- Contracting with an interpreter service for trained and competent interpreters,
- Formally engaging community volunteers who are trained and competent in the skill of interpreting,
- Enrolling WIC staff in language classes,
- Utilizing a telephone interpreter service, and
- Providing forms, education and audiovisual materials to WIC participants in other languages.

Notification Assistance

Local and State agencies must provide notice to persons with limited English proficiency about the availability of language assistance services and how to request them. Notification may include but is not limited to the posting of notices, placement of notices in the recipient's publications, radio announcements, and the use of other visual and aural media. Websites must also provide the availability of language assistance services and how to request them. Example: "If you have difficulty understanding English or have a disability, free language assistance or other aids and services are available upon request. Deaf Relay: (Hearing or Speech Impaired) 711 or 1-800-735-2942".